IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7322 of 1990

with

SPECIAL CIVIL APPLICATION No 7820 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

1 to 5 No

DHANJI MULJI MAHESHWARI

Versus

DIRECTOR

Appearance:

MR PH PATHAK for Petitioners

MR KH BAXI for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 26/09/2000

ORAL JUDGEMENT

The learned counsel Mr.P.H.Pathak appearing for the petitioners in both the petitions submits that the petitioners would like to raise an industrial dispute and obtain an award in respect of the grievances which are the subject-matter of these petitions. It is, however, submitted that since most of the workmen concerned in these petitions have been continued in the service under the orders of interim relief made earlier, it is apprehended that the respondents may terminate the services of such workmen who are still in employment. Therefore, it is prayed that while these petitions may be disposed as withdrawn, the workmen concerned may be protected for some time in order to have their industrial dispute referred to the appropriate forum. The learned counsel for the respondents submitted that the earlier orders of interim relief protected the workmen concerned to the extent that their services were not permitted to be terminated except in accordance with law. The respondents would have no objection to abide by the same condition.

2. Accordingly, the petitions are disposed as withdrawn with the order that the services of such of the workmen concerned who are continued in service shall not be terminated for a period of theee months except in accordance with law. Rule is discharged with no order as to costs. Interim relief stands vacated. The parties shall have the liberty to approach the Court in case of difficulty.

Sd/-

(D.H.Waghela, J.)

KMG Thilake

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